

# Staff Summary Report



**Council Meeting Date:** 12/4/03

**Agenda Item Number:** \_\_\_\_\_

**SUBJECT:** Set public hearings for **January 8 and January 15, 2004**, to amend Tempe City Code, Chapter 11, Article 1, relating to Design Review by amending Section 11-6

**DOCUMENT NAME:** 20031204dsnw9

**PLANNED DEVELOPMENT (0406)  
ORDINANCE NO. 2003.37**

**SUPPORTING DOCS:** No

**COMMENTS:** Ordinance #2003.37 is a proposed amendment to eliminate the requirement that all Multi-Family development follow the requirements of the Multi-Family Quality Study.

**PREPARED BY:** Bill Kersbergen, Principal Planner (350-8839)

**REVIEWED BY:** Melanie Hobden, Development Services Manager (350-8069)

**LEGAL REVIEW BY:** Cliff Mattice (350-8610)

**FISCAL NOTE:** N/A

**RECOMMENDATION:** That Ordinance 2003.37 be approved

**ADDITIONAL INFO:** The Multi-Family Quality Study, "Multi-Family Development – the Essentials of Quality Design" was introduced to the City Council in an IRS on January 30, 1984. It was informally adopted, as a test on February 13, 1984. It was formally adopted into City Code Sec.11-6.11 on July 24, 1986.

The purpose of this chapter was to ensure quality multi-family development. At the time of adoption, the city was experiencing the development of many large-scale apartment complexes, which were suburban in nature. While the study worked to ensure quality for suburban complexes and in fact was replicated in other cities in the Valley, the study currently does not allow for more urban/infill projects to be produced. As such, the Development Services Department requests that the Multi-Family Quality Study be retired and removed from the City Code.

There are two compelling reasons for this request:

1. The competitive nature of the residential development community has created a higher standard. Those items, which were a luxury, have now become a basic commodity. We will get the level of amenity that we desire without relying on an ordinance to force the requirement.
2. The properties which are currently being developed, are not the large tracts of land, which lend themselves to large setbacks and ample green-spaces. The Multi-family Quality Study does not account for the urban infill typology which we need to address. The Development Services Department is reviewing projects, which are desirable, but fail to meet the requirements of this portion of the Ordinance.

In Summary, staff is requesting Council direction on the suggestion to remove Sec. 11-6.11 of the City Code, which will eliminate the requirement that all Multi-Family development follow the requirements of the Multi-Family Quality Study.

## **ORDINANCE NO. 2003.37**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING CHAPTER 11, ARTICLE I, RELATING TO DESIGN REVIEW BY AMENDING SECTION 11-6.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

**Section 1.** That Section 11-6 of the Tempe City Code is hereby amended to read as follows:

#### **Sec. 11-6. Criteria.**

In reviewing any application for approval, the following elements shall be considered:

- (1) All materials used in constructing, finishing, accenting or trimming any building, structure or sign shall be of superior quality and be compatible with any material used in buildings, structures and/or signs in proximity to the applicant's property;
- (2) The buildings, structures or signs shall be in proper scale with the proposed site, in proper scale with other buildings, structures and signs in proximity, and shall allow for visual separation of vehicular and pedestrian traffic;
- (3) The special treatment of doors, doorways, windows and walkways shall be required to provide relief, shadow and shade whenever possible and be architecturally compatible with the overall project;
- (4) The on-site placement of all power and utility lines shall be compatible with the other development in proximity to the proposed project which should include a placement of such on-site utilities underground or concealed minimizing any negative or visually detrimental effects;
- (5) The overall design of the building, structure, or sign and its site shall not adversely affect the present or potential development of the nearby sites or the traffic pattern on abutting streets by virtue of its type, its placement on the lot, and the location of parking areas and driveways;

- (6) The design, placement and details of landscaping and walls, regardless of intended or required function, shall be established so as to eliminate all negative or detrimental visual elements;
- (7) Landscaping should be used to break up parking areas, separate pedestrian areas and separate buildings and drives;
- (8) The on-site traffic circulation pattern shall provide for separation of pedestrian and vehicular traffic as well as provide safe and orderly circulation;
- (9) Signs shall be in appropriate scale, proportion, color and overall design relative to the exterior architectural character of the buildings or structures;
- (10) Any on-site illumination shall be architecturally compatible with the overall project and not create any negative or visually detrimental effects; AND
- ~~(11) The overall project shall meet the minimum rating requirements established in the Quality Study; and~~
- (12-11) The project, including but not limited to the site, landscaping, lighting, buildings, structures, walls or signs, shall comply with article II of this chapter relating to crime prevention through environmental design.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,  
ARIZONA, this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Development Services Manager

